

IN THE MATTER OF THE * BEFORE THE
THE APPLICATION OF * COUNTY BOARD OF APPEALS
ROBERT C. COOPER, ET UX * OF
FOR A SPECIAL HEARING ON *
PROPERTY LOCATED ON THE NORTH *
SIDE GREYSTONE ROAD, 85' EAST * BALTIMORE COUNTY
OF CENTERLINE OF SEVEN OAKS *
ROAD (1250 GREYSTONE ROAD) * CASE NO. 91-472-SPH
13TH ELECTION DISTRICT *
1ST COUNCILMANIC DISTRICT * * * * *

OPINION

This case comes before this Board on appeal from a decision of the Deputy Zoning Commissioner denying the nonconforming use of the property as a three-apartment dwelling. Petitioner's attorney in opening statement amended the Petition so that the special hearing was now to approve a nonconforming use that would only allow two apartments in the building, one on the first floor and one on the second floor.

Robert Cooper, Petitioner, testified he became the property owner in June 1990 and that he purchased the property from Richard and Catherine Jensen. He testified and entered exhibits showing the condition of the house and the condition of the neighboring homes in detail. He testified that the house was in a semi-rundown condition and enumerated all the improvements that he has undertaken since its purchase, and testified that he has expended \$24,600.00 on improvements to the house, as of this date. He further testified that he is only interested in renting the house as two apartments. He further testified that he will provide off-street parking in the rear of the building and noted that he has a contractor ready to install this parking if granted the use as two apartments. Petitioner on the record stated that in the event the

Case No. 91-472-SPH Robert C. Cooper, et ux 2
neighboring property at 1248 Greystone Road was sold parking access will be provided to the rear of 1250 Greystone Road. He further testified that the existing kitchen formerly used to service the third floor will be permanently removed.

Richard Jensen next testified as to the use of the property to his knowledge. He testified that the property was owned by his mother, whose health failed, and that he conducted the sale of the property to Mr. Cooper. He testified that the structure was built in 1932 and built as a rental unit. In 1943 he moved into the second floor apartment of this house and lived there until the Fall of 1960. He testified that there have been no significant changes to the interior or exterior of the building other than the improvements done by Mr. Cooper. He testified that his mother lived in the second floor apartment until 1983, and paid rent to Lizette Olsen, who owned the building and lived in the first floor apartment. Mrs. Olsen died December 14, 1983, and within a couple of months, Mrs. Jensen moved to the first floor, and Mr. Harold Green moved into the second floor apartment, where he resided until August of 1986, paying rent to Mrs. Jensen who inherited the property immediately upon Lizette Olsen's death. The second floor apparently remained vacant until sometime prior to the Spring of 1987 when Mrs. Jeannette Auditore moved in. She resided there until January 1990, paying rent to Mrs. Jensen. Mrs. Jensen became ill and gave up her residence on May 8, 1990, with Mr. Jensen continuing to live there until he sold the property to Mr. Cooper on June 1, 1990. This concluded Petitioner's case.

Case No. 91-472-SPH Robert C. Cooper, et ux 3
Harry Robertson testified as a protestant and testified that he had lived at 1256 Greystone Road for 53 years, that he knew the Jensens, and that he was not opposed to the property as a two-apartment dwelling but was concerned about the parking problems created by this multi-family use.

After consideration of the testimony and evidence presented the Board this day, the Board is of the opinion that a nonconforming use as a multi-family dwelling is a lawful nonconforming use, and that the Petition filed by the Petitioner which has been amended to reduce the use to a two-apartment dwelling and which includes a parking plan entered as Petitioner's Exhibit No. 9 shall be approved as submitted.

ORDER

IT IS THEREFORE this 19th day of March, 1992 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing for a nonconforming use for two apartments be and the same is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**

William T. Hackett
William T. Hackett, Chairman

C. William Clark
C. William Clark

John G. Disney
John G. Disney

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
N/S Greystone Road, 85' E of *
the c/l of Seven Oaks Road * DEPUTY ZONING COMMISSIONER
(1250 Greystone Road) *
13th Election District * OF BALTIMORE COUNTY
1st Councilmanic District * Case No. 91-472-SPH
Robert C. Cooper, et ux *
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the nonconforming use of the subject property as three apartments, in accordance with Petitioner's Exhibits 1 and 2.

The Petitioners appeared and testified. Appearing as Protestants in the matter were Harry C. Robertson, Robert and Bernice Bucklein, and Henry and Helen Williams, all residents of the area.

Testimony indicated that the subject property, known as 1250 Greystone Road, consists of 0.1377 acres zoned D.R. 5.5 and is improved with a one and one-half story dwelling. Upon receipt of a zoning violation notice, Petitioners were advised to file the instant Petition to establish the nonconforming use of the subject dwelling as three apartments. The Petitioners provided a video-taped testimony of a Mr. Jensen who was the son of the original owner of the property and also resided on the property himself. His testimony provided that the subject dwelling was built in 1932 as a three apartment dwelling. His testimony indicated that there was an apartment on the first floor of the dwelling, a second apartment on the second floor of the dwelling and a third studio apartment on the third floor. Mr. Jensen indicated that all three units were rented and occupied by members of his family from 1932 until 1983. From 1983 until 1990, Mr. Jensen's testimony was somewhat vague as to the use of the

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Date 8/24/91
By [Signature]

subject property; however, he indicated that the second floor apartment was occupied by a friend of his mother, the third floor apartment was occupied by a maiden aunt, and the first floor was occupied by his mother, Mrs. Olsen. The sum of his testimony was that from 1932 to the present, the house was continuously used as three apartments and that there were no interruptions in such use.

Appearing and testifying in opposition to the relief requested was Harry Robertson who resides at 1256 Greystone Road. Mr. Robertson testified that he moved to his property in 1939 and that he grew up with Mr. Jensen. He testified that he was inside the subject dwelling when he was a youngster in the 1940s. Mr. Robertson testified that the dwelling was built as two apartments only and that there was not a third apartment in the house. He testified that what has been referred to as the third floor apartment is really the attic of the house. His testimony as to the house only containing two apartments is further corroborated by the fact that there are only two gas and electric meters in service at this location. Mr. Robertson indicated that there never was a third meter and that two of the present apartments share the same gas and electric meter. Mr. Robertson further testified that Mrs. Olsen lived by herself in the subject dwelling for approximately 10 years from about 1980 until 1990. He testified that she lived alone in the house during that period and that no other persons lived in the dwelling.

Henry Williams appeared and testified in opposition to the relief requested. Mr. Williams resides at 1251 Greystone Road, across from the subject property. Mr. Williams testified that he moved to this location in 1960 but that his wife, who was also present at the hearing, has lived at 1251 Greystone Road since 1919. Mr. Williams testified that he too

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Date 8/24/91
By [Signature]

observed the fact that Mrs. Olsen resided on the subject property by herself for approximately the same period of time to which Mr. Robertson previously testified. Mr. Williams testified that there were no other occupants or tenants of the property but for Mrs. Olsen during the 1980s.

Bernice Bucklein appeared and testified in opposition to the relief requested. Ms. Bucklein testified that she has resided at 1247 Greyston Road since 1969. She testified that she knew Mrs. Olsen and that Mrs. Olsen lived on the property by herself after her sister died in the 1980s. Ms. Bucklein also corroborated the testimony of Mr. Robertson that Mrs. Olsen lived in the house by herself and there were no other tenants or occupants living in the house in the 1980s but for Mrs. Olsen.

The Petitioners are seeking a nonconforming use of the subject property as three apartments. Section 104 of the Baltimore County Zoning Regulations (B.C.Z.R.) addresses nonconforming uses. Section 104.1 states as follows:

"A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these Regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75) per cent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used."

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning.

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Date 8/24/91
By [Signature]

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the non-conforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered non-conforming. See McKemy v. Baltimore County, Md., 39 Md. App. 257, 385 A2d. 96 (1978).

When the claimed non-conforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the non-conforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original non-conforming use;

(b) Is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original non-conforming use."

McKemy v. Baltimore County, Md., Supra.

It is clear from the testimony and evidence presented that there has been an abandonment or discontinuance of such nonconforming use of two of the three apartments for a period of one year or more, inasmuch as the subject dwelling was occupied only by Mrs. Olsen during the 1980s. As such, there has been an abandonment or discontinuance of at least two of

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By [Signature]

the three apartments the Petitioners claim are nonconforming. Because Mrs. Olsen was the only resident of the subject dwelling for almost ten years during the 1980s, the right to continue or resume such nonconforming use for the other two apartments is lost. The wording of Section 104 of the B.C.Z.R. is clear. A nonconforming use may continue except that if any abandonment or discontinuance of such nonconforming use for a period of one year or more occurs, then the right to continue or resume such use shall terminate.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be denied.

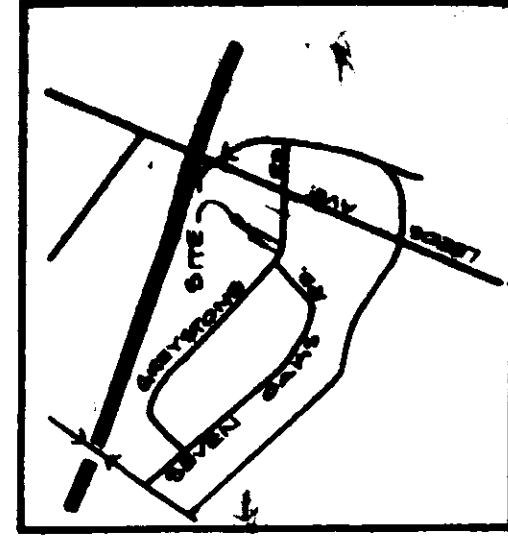
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of August, 1991 that the Petition for Special Hearing to approve the nonconforming use of the subject dwelling as three apartments, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the subject dwelling shall be used only as a single family dwelling from this day forward.

Timothy H. Rothrock
TIMOTHY H. ROTHROCK
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 8/24/91
By [Signature]



VICINITY MAP
Scale: 1" = 1000'

- NOTES:
- 1) There are no previous permits, commercial or otherwise affecting this property.
 - 2) Current Zoning: DR 5.5
 - 3) Lot Reference: 5.14
 - 4) Current Use: Apartments
 - 5) There are no signs on property.
 - 6) Distance to closest Fire Hydrant is 905' to the Southeast.
 - 7) There is no off street parking required.
 - 8) There have been no changes in size of Lot or Building.

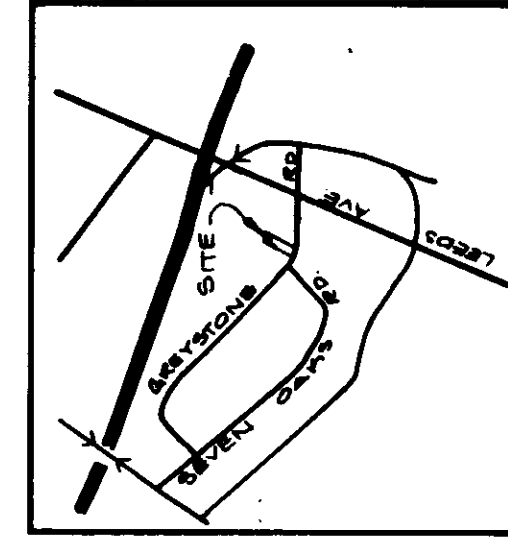
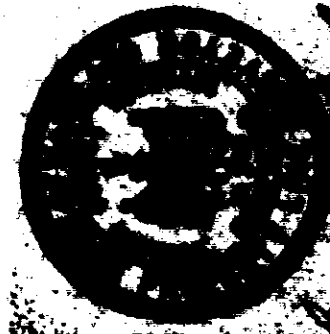
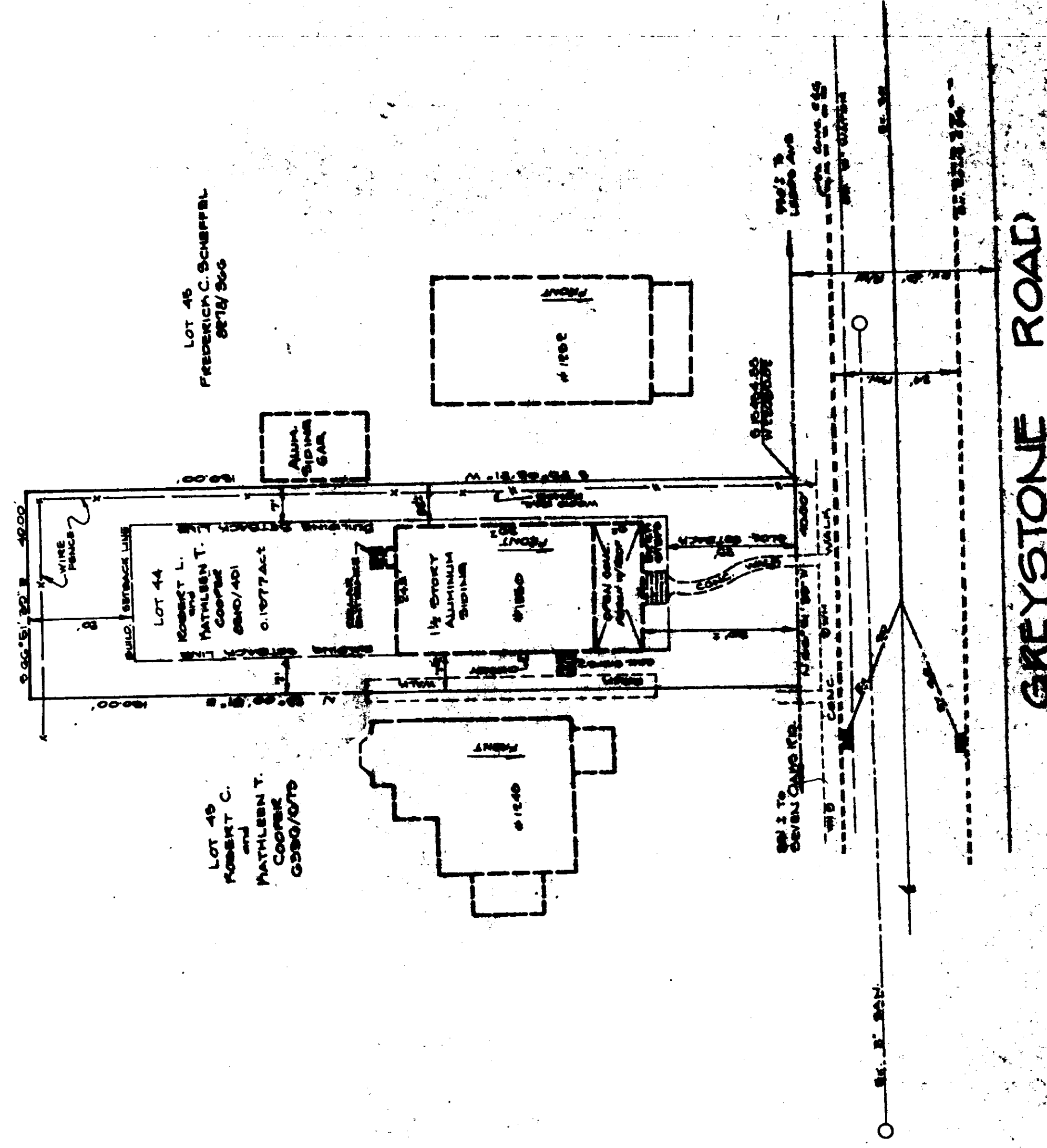
91-472-SPH

PETITIONER'S EXHIBIT 1

PLAT FOR
NON-CONFORMING USE SPECIAL HEARING

#1250 GREYSTONE ROAD

15TH ELEC. DIST.
1ST COUNCIL DIST.
DRAWN: JAP
MAY 1991
CHA: L.B.



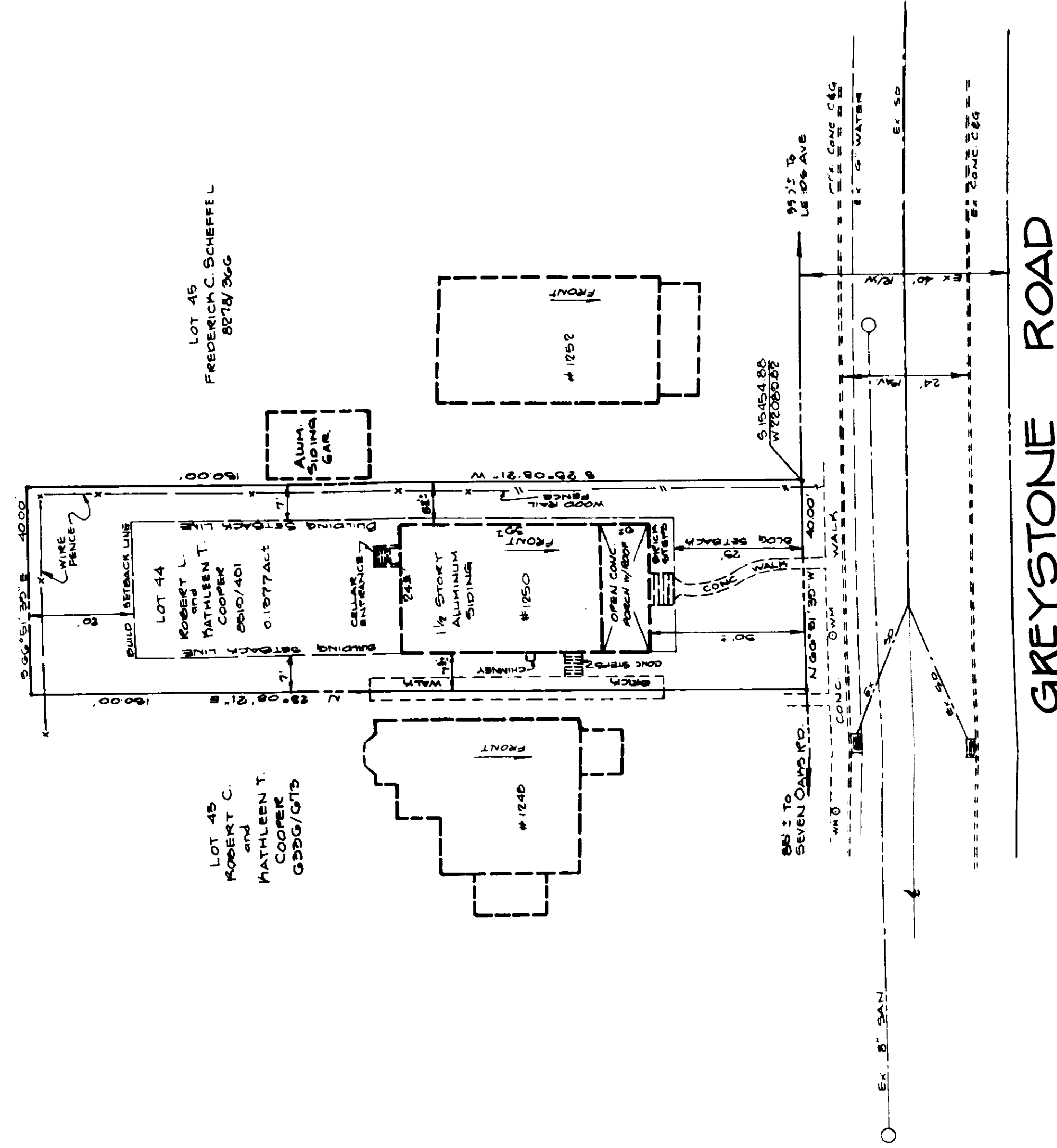
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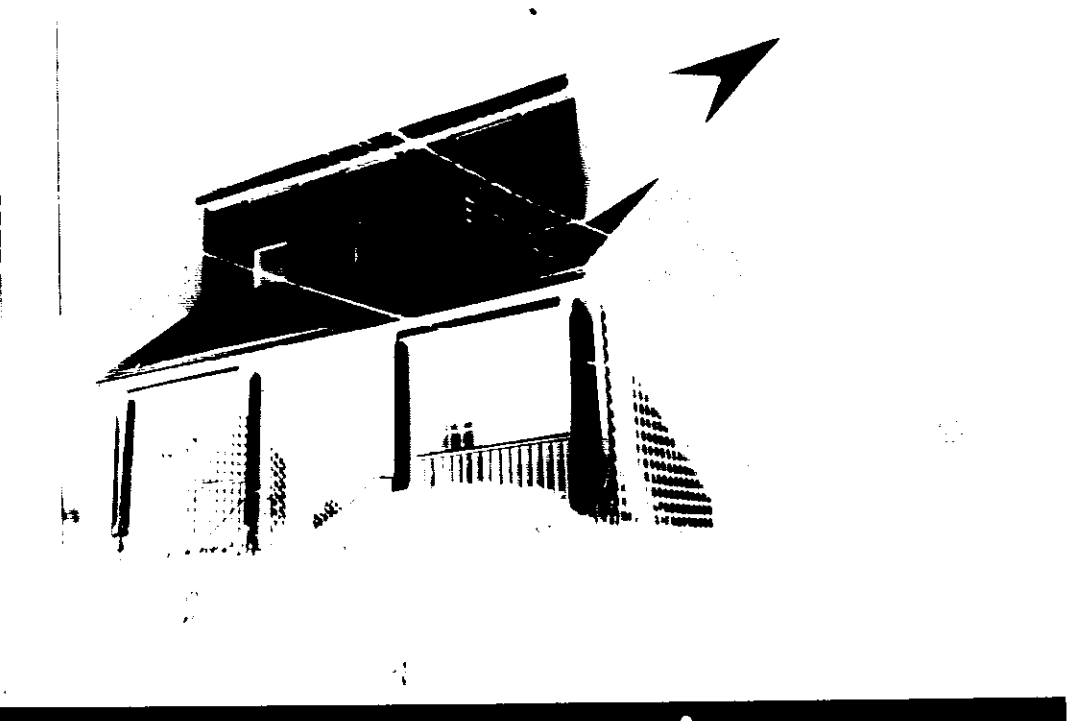
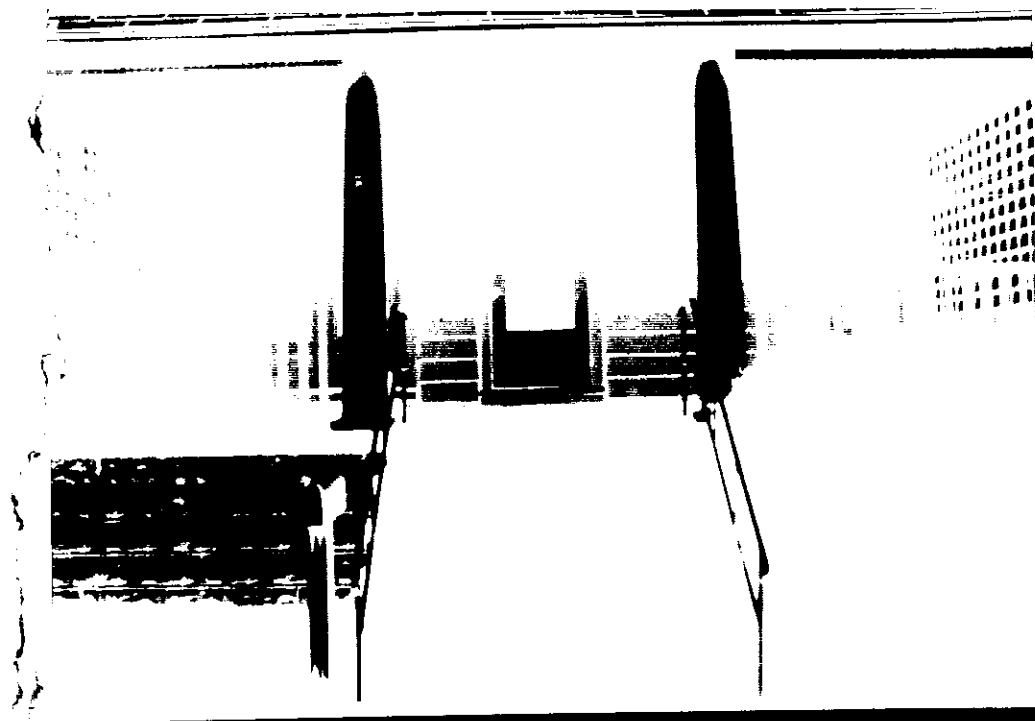
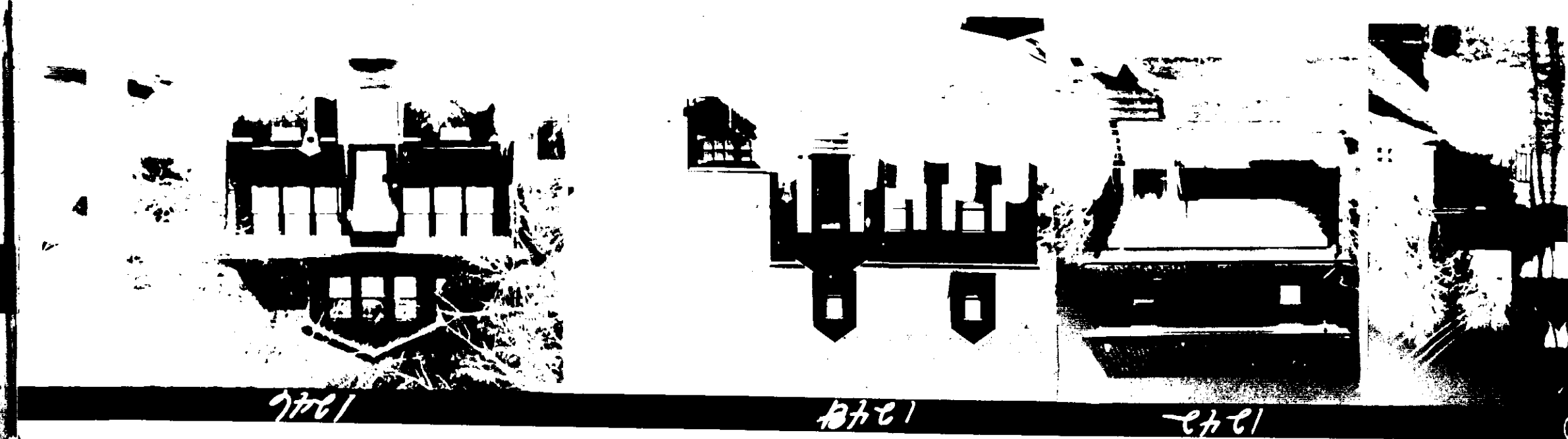
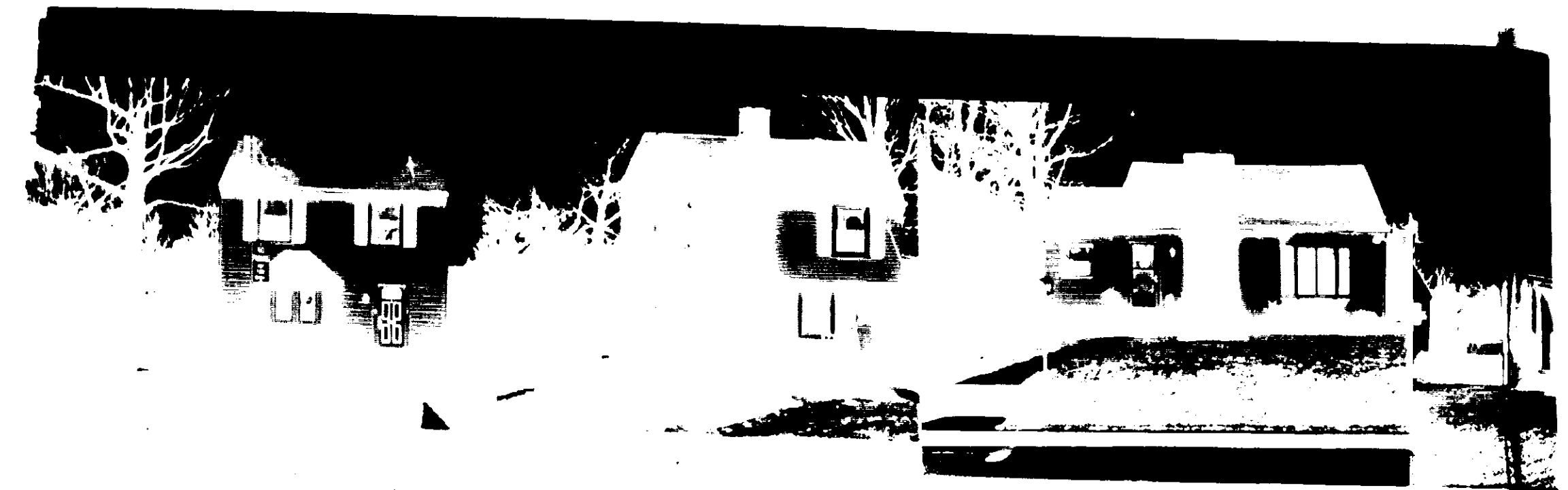
PLAT FOR
NON-CONFORMING USE SPECIAL HEARING

#1250 GREYSTONE ROAD

15TH ELEC. DIST.
1ST COUNCIL DIST.
DRAWN: JAP
MAY 1991
CHA: L.B.



Lenny G. Burkett

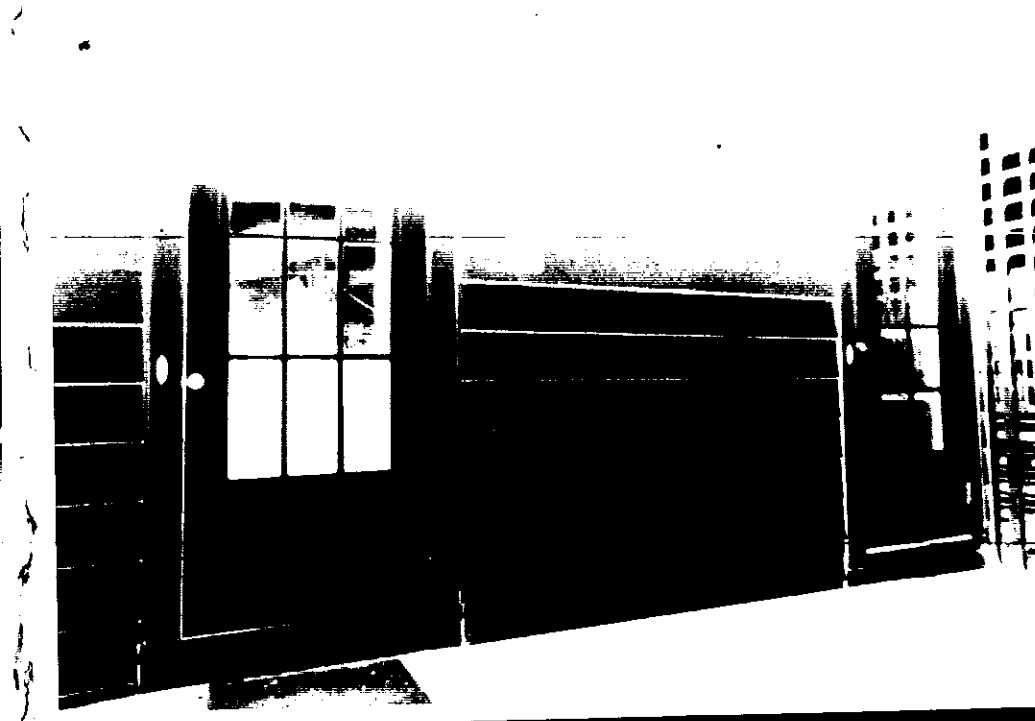
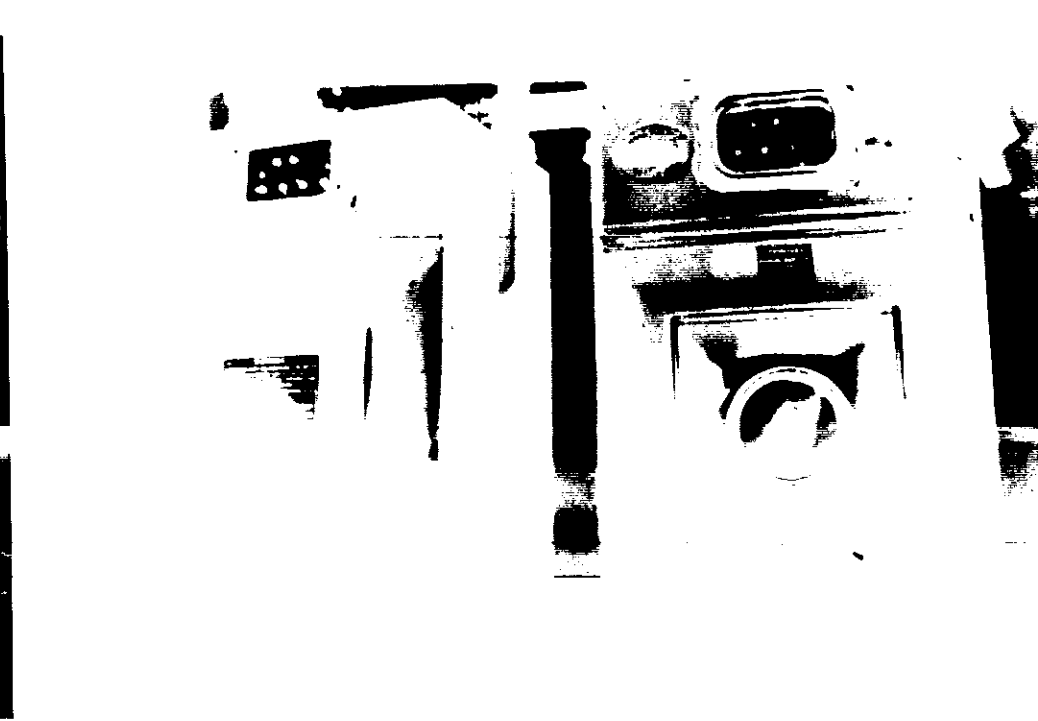


OLD ELEC. METERS

NEIGHBORHOOD w/ 1250

2 ENTRANCE FRONT 1250

SIDE VIEW

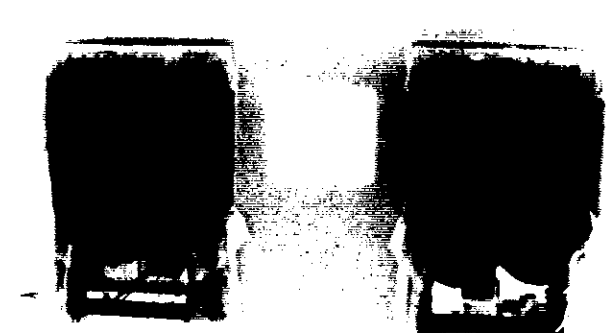


OLD ELEC METERS

OLD LEAD NECK METERS

1 ENTRANCE-EACH APT.

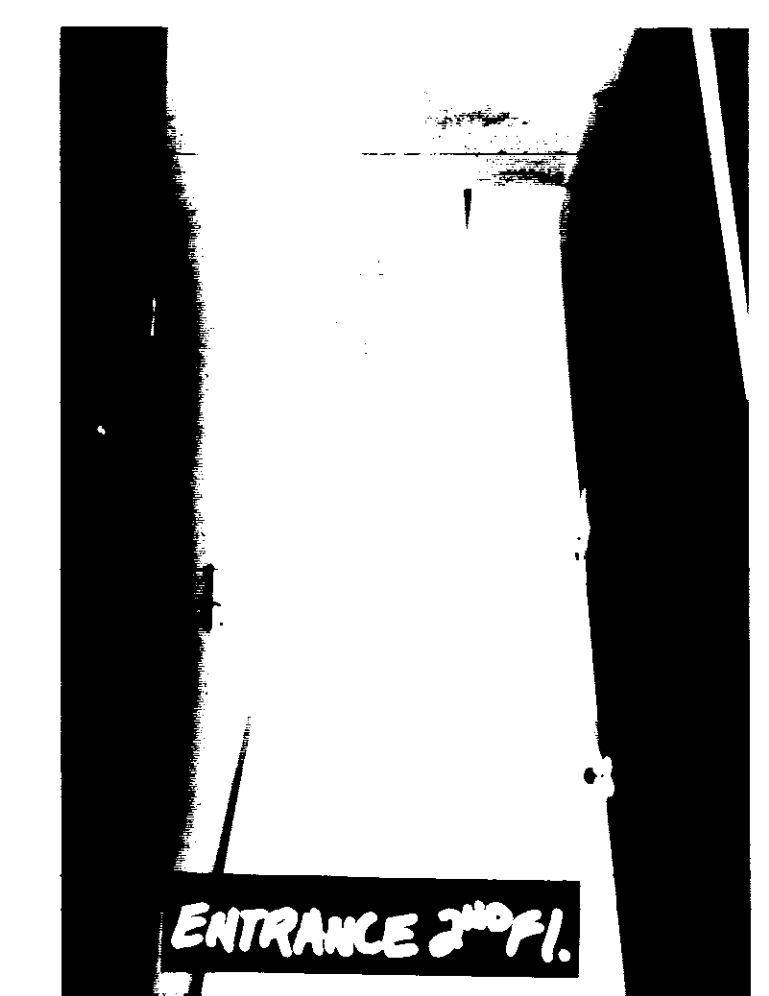
REAR 1250



2ND FL. LIVING RM.

1250 GREYSTONE RD.

2ND FLOOR



ENTRANCE 2ND FL.



HALL TO LIV. RM.



3RD bdrm. 1250



OLD KITCHEN 2ND

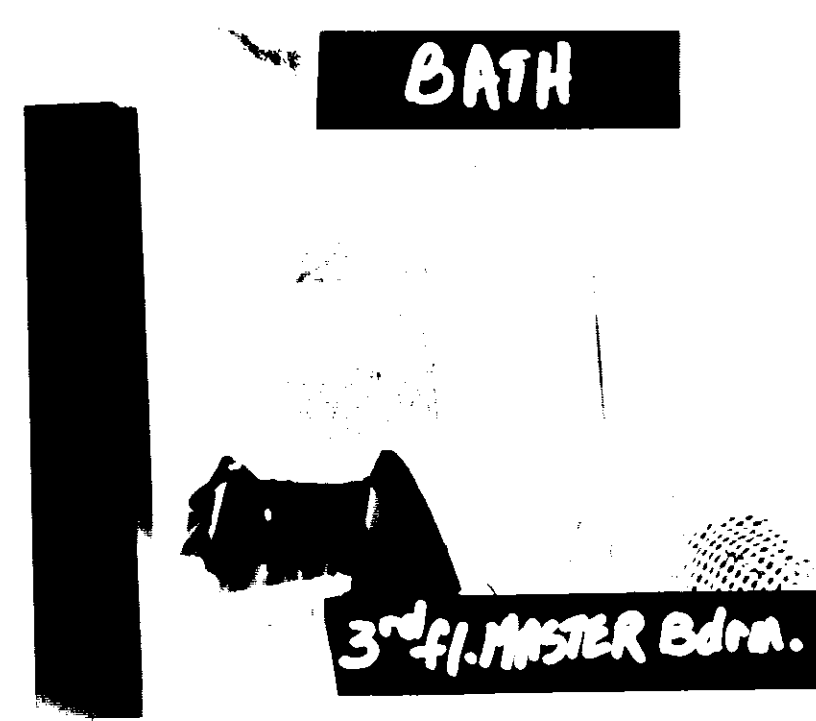


GREYSTONE RD.

2ND FLOOR

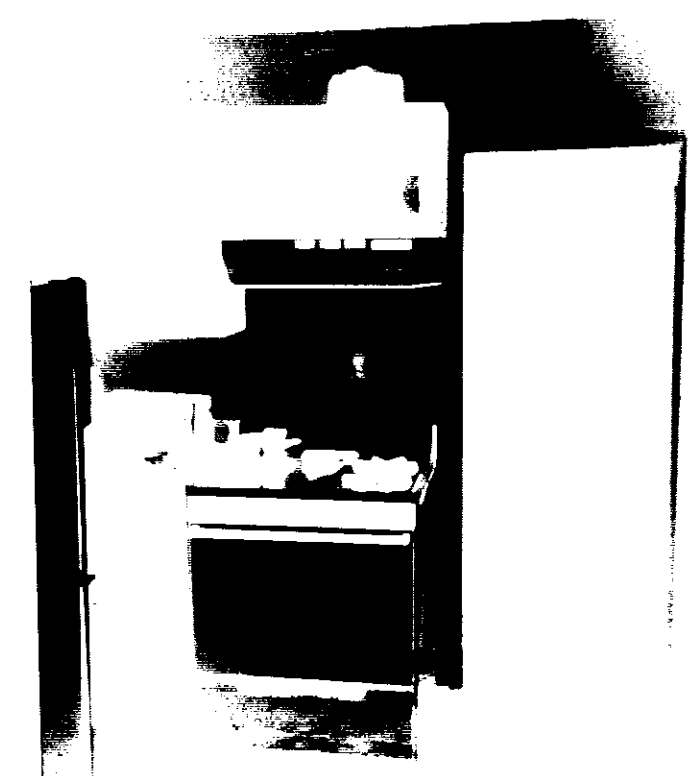


3RD BDRM. CLOSET

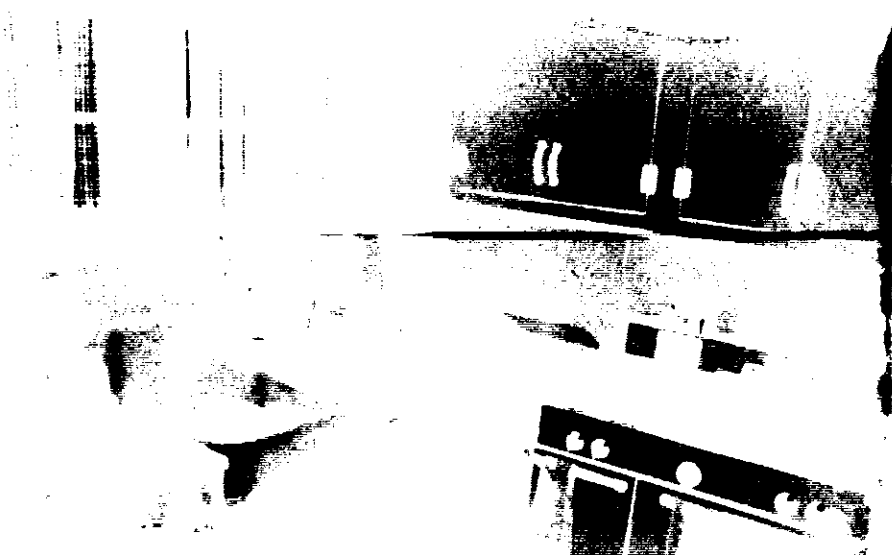


BATH

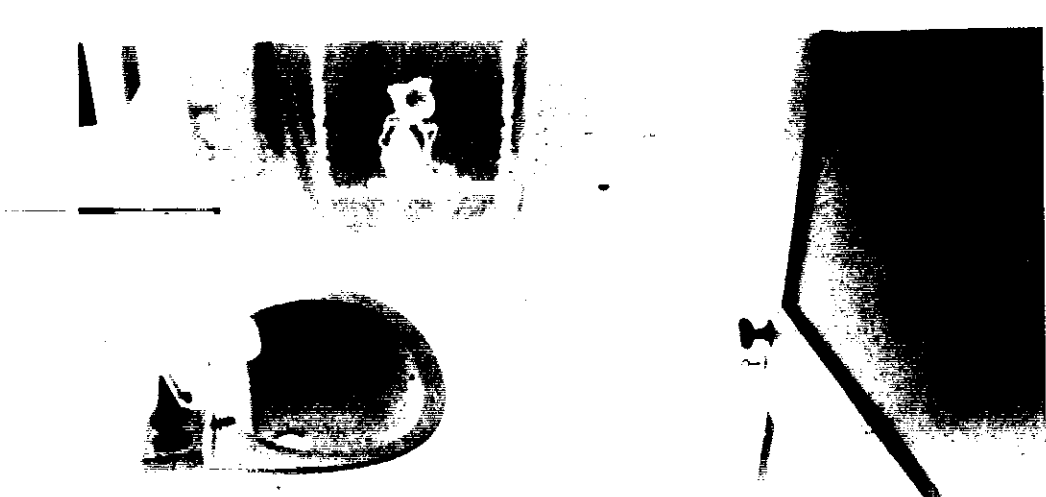
3RD MASTER BDRM.



Kitchen AFTER / Kitchen BEFORE



bedrm #2

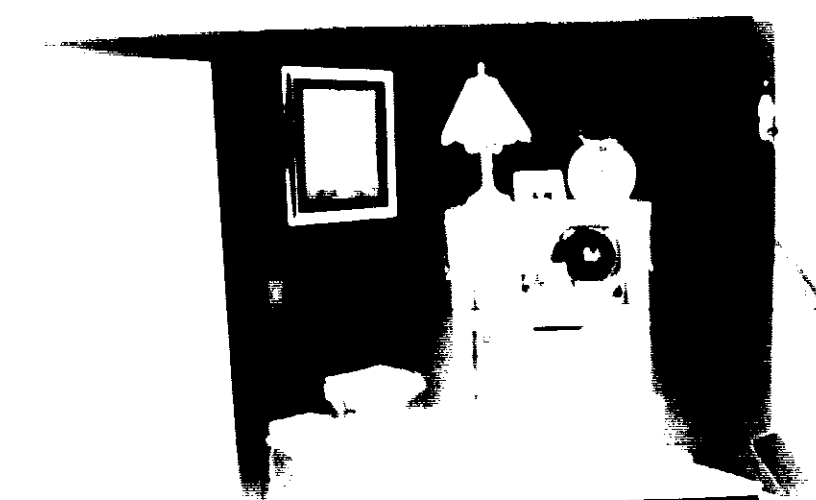


BATH #1

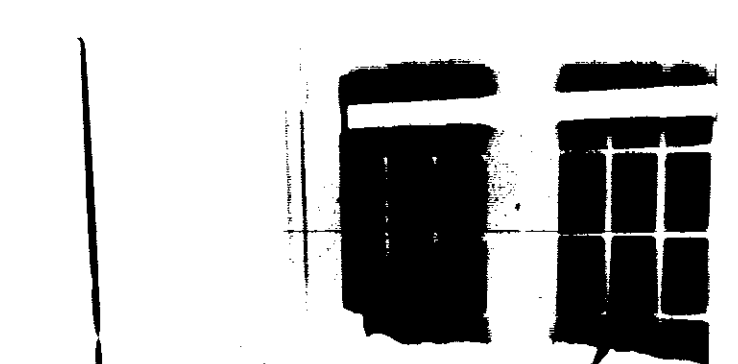
FIRST FLOOR 2 BDRM. APT.



OLD KITCHEN 2ND



ENTRANCE 3RD FL.



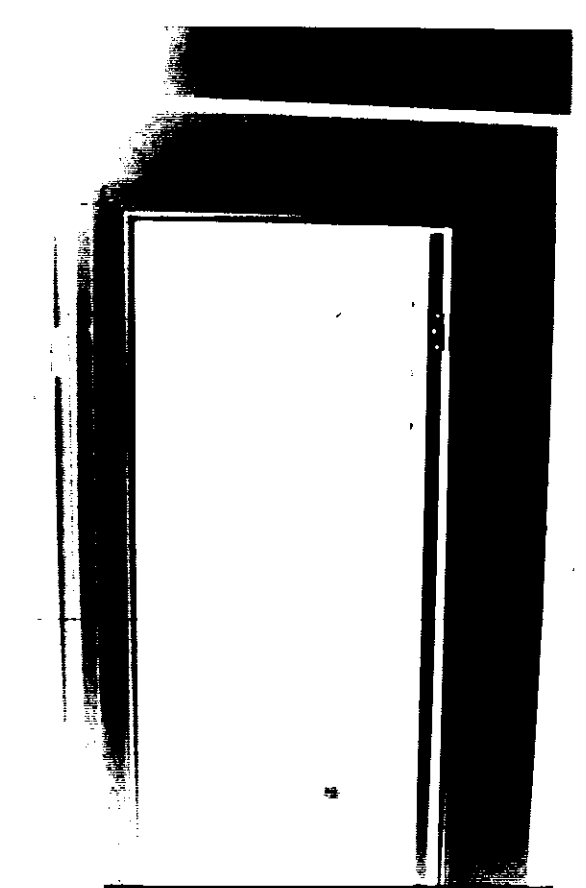
LIVING ROOM



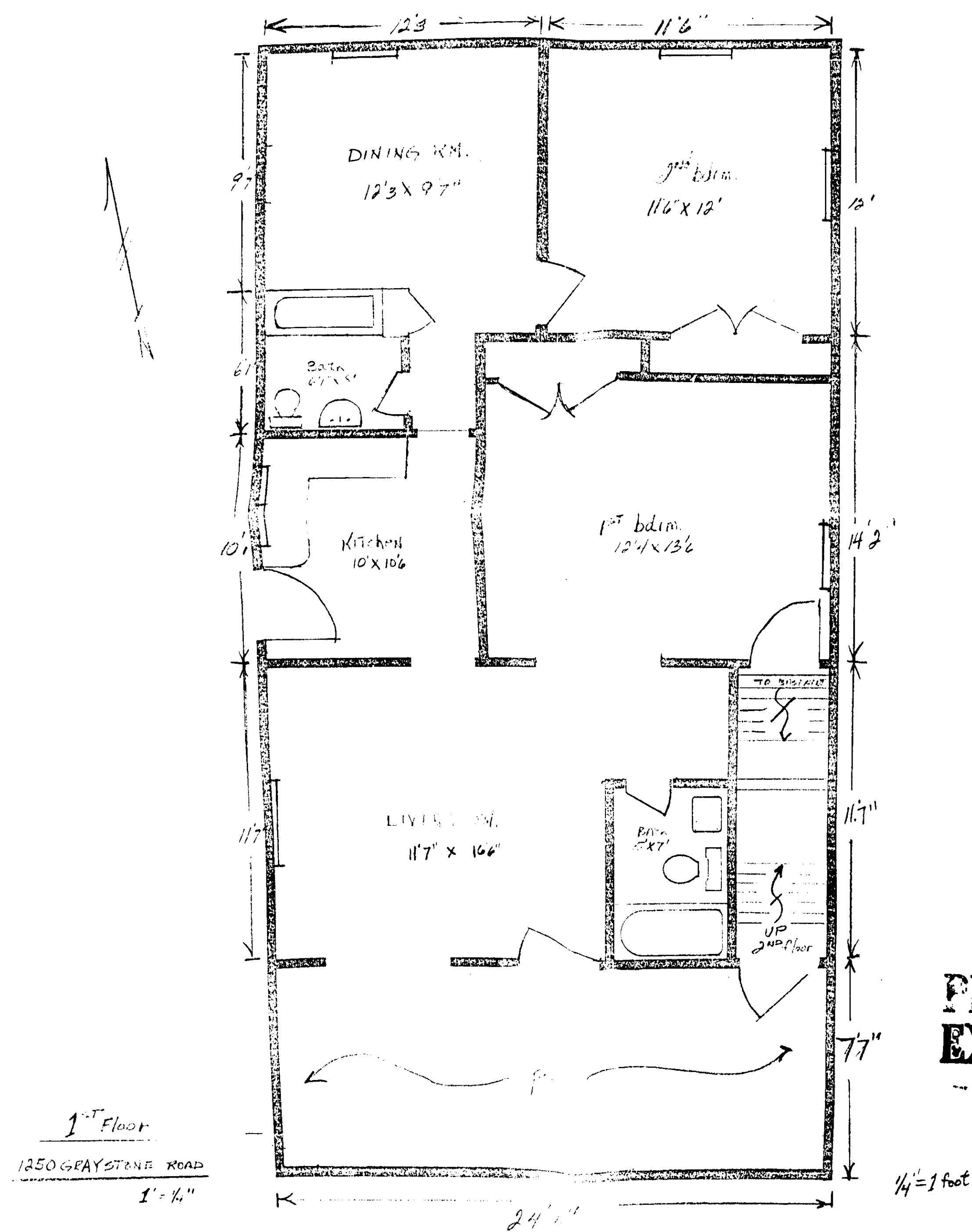
DINING RM.



bedrm #1



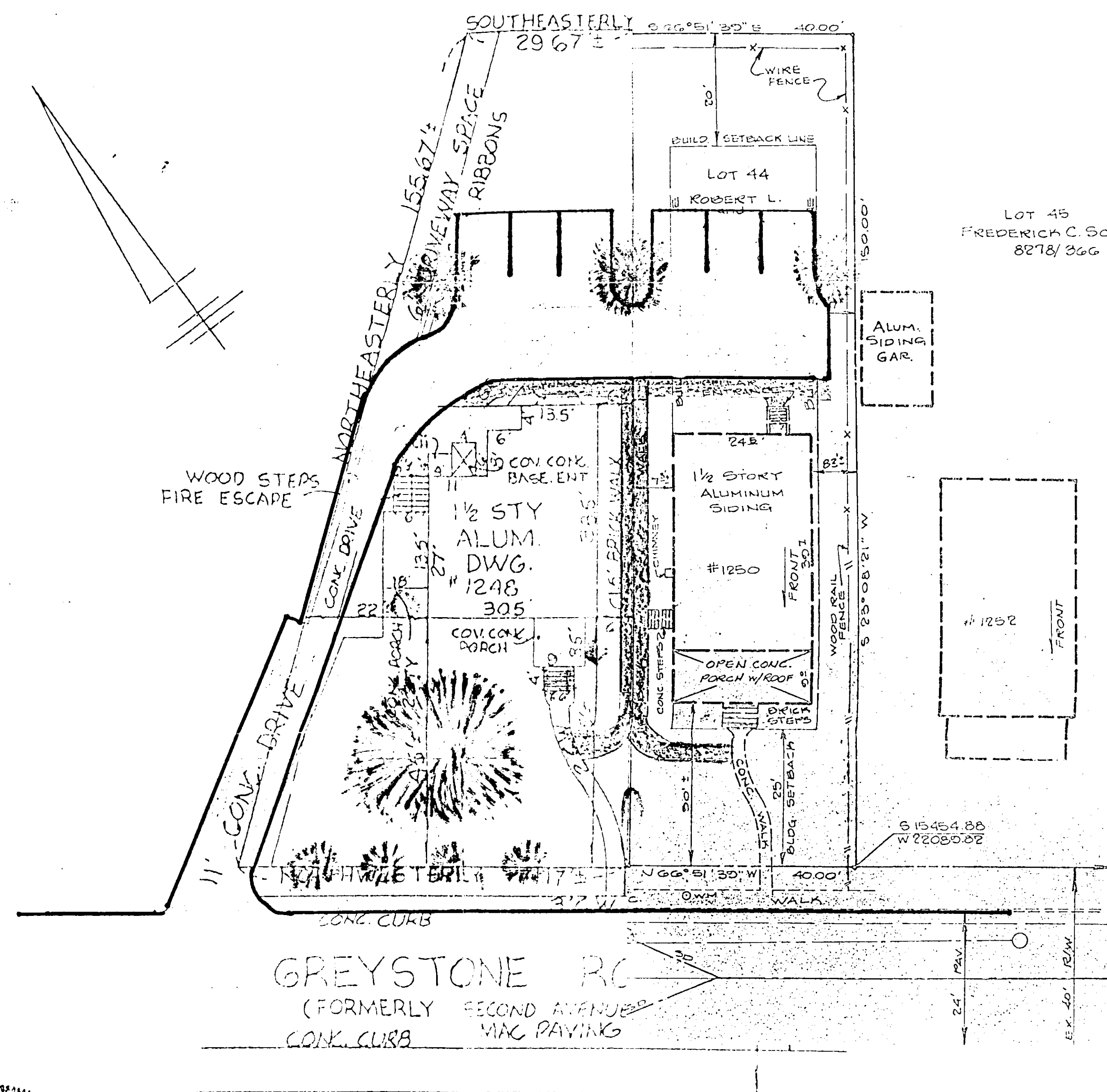
BATH #2



PETITIONER'S
EXHIBIT 2

91-472-SPH

Plat of Property known as #1248 Greystone Road, and recorded among the land records of Baltimore County in Liber 6336, Folio 673.



Sourabh Munshi

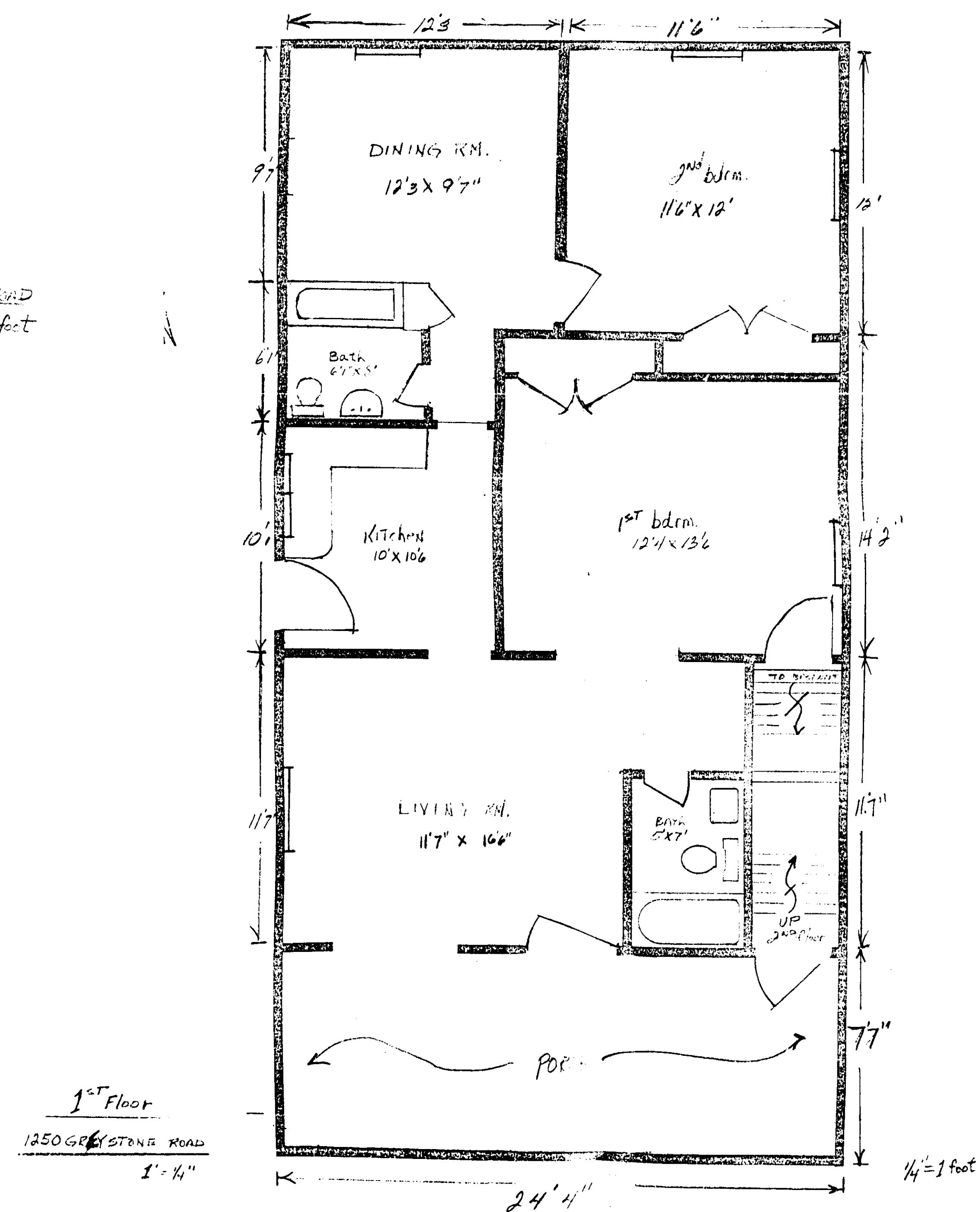
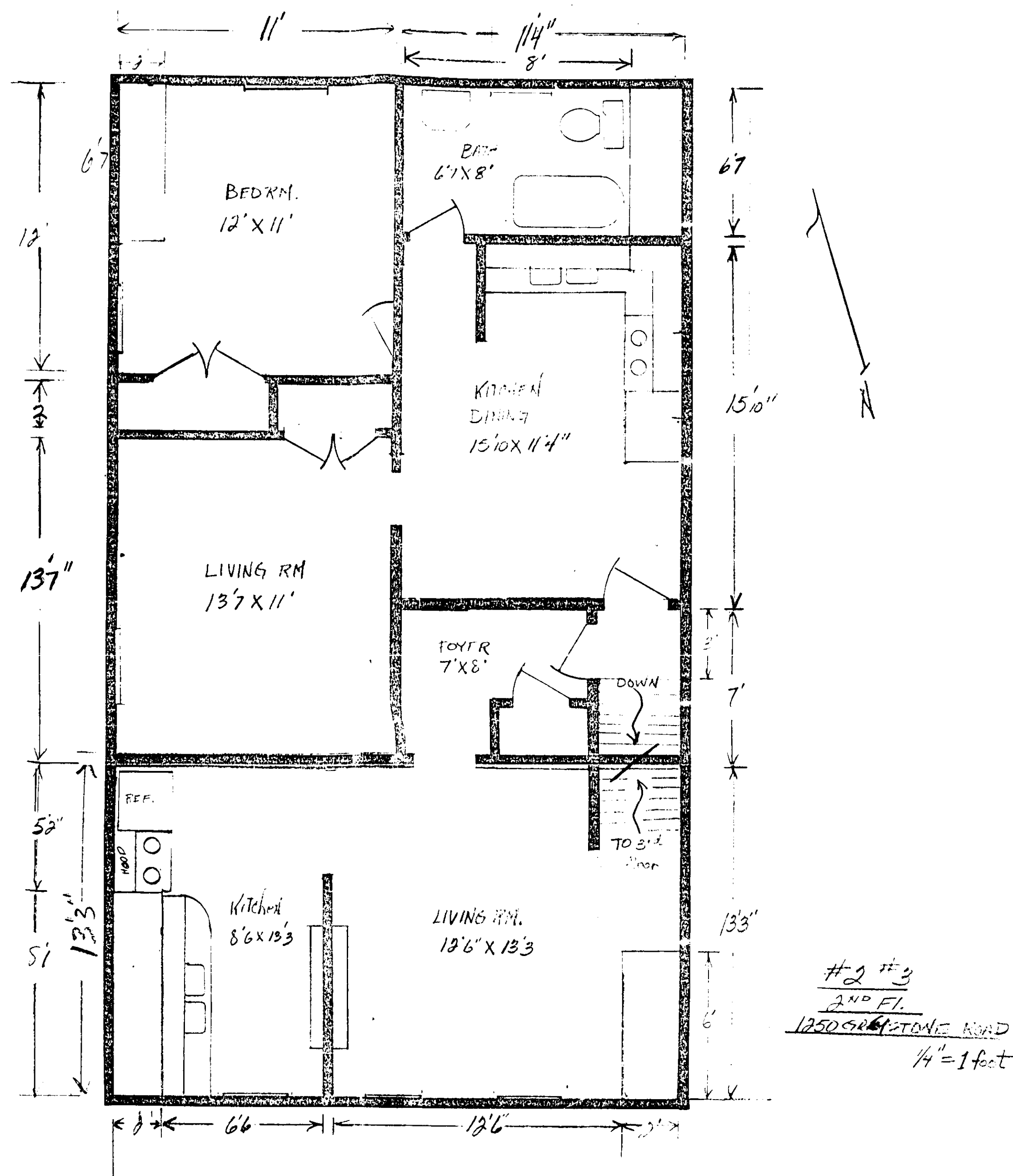
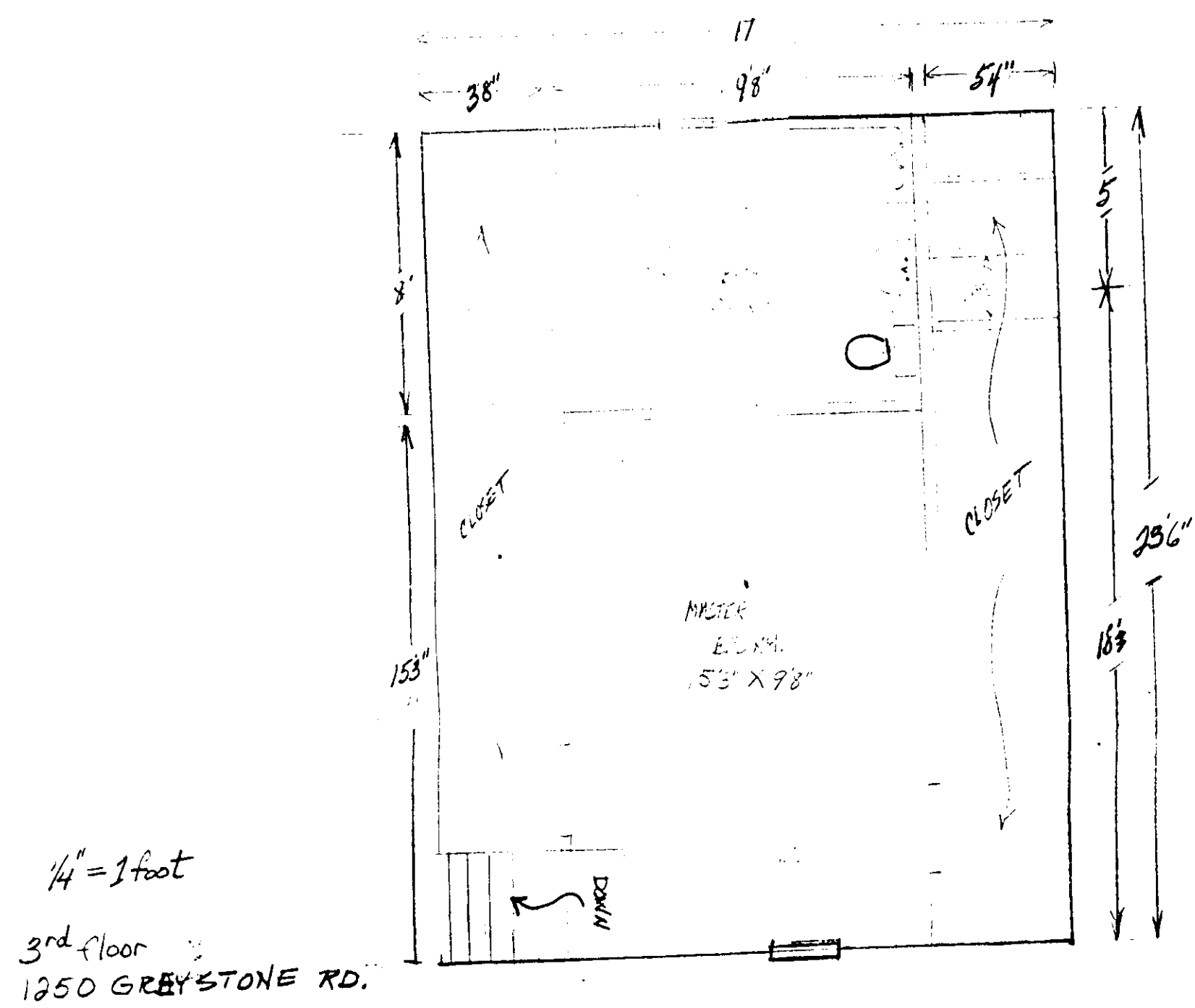
THIS PLAT IS NOT INTENDED FOR THE USE
IN THE ESTABLISHMENT OF PROPERTY LINES

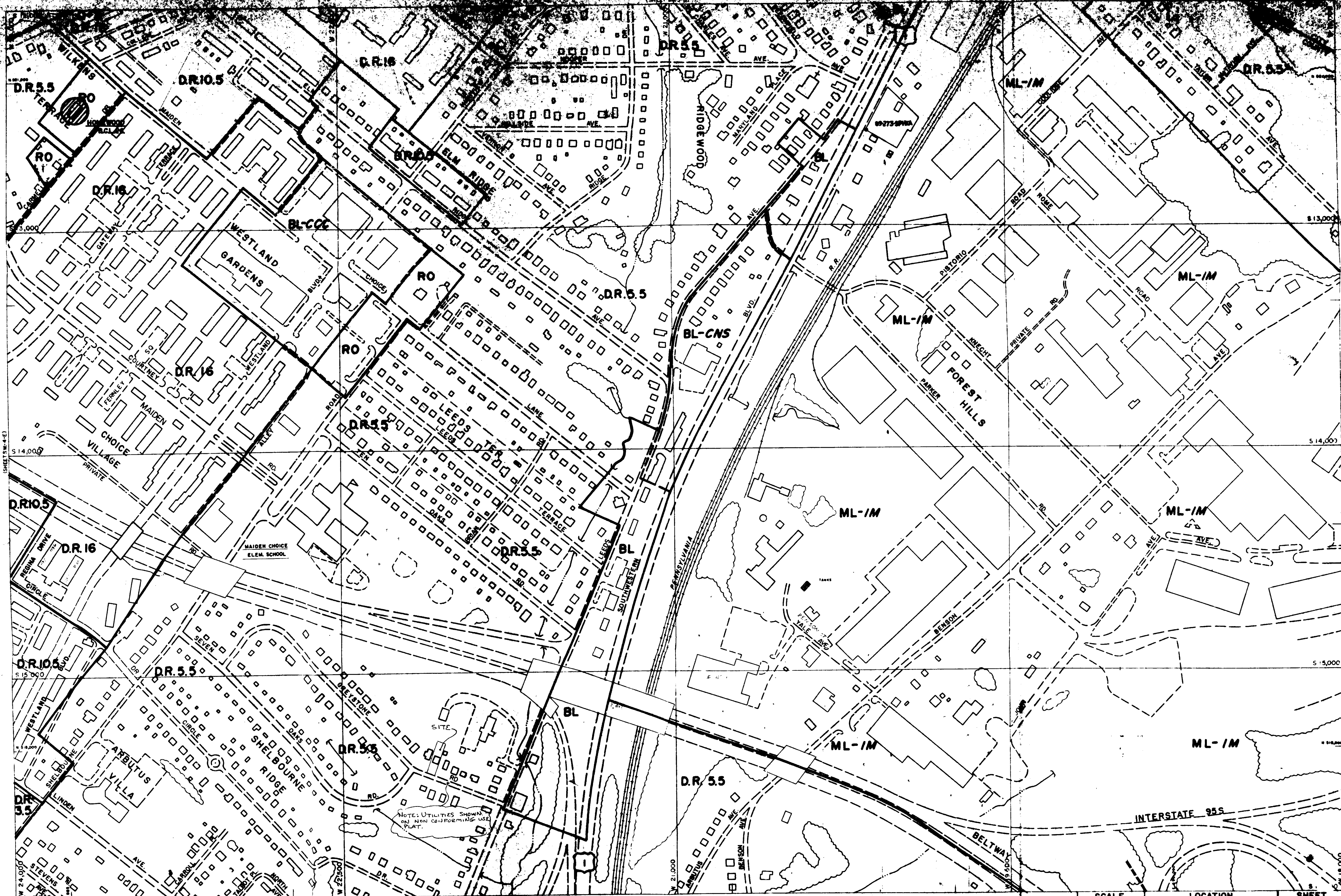
DON LYNCH ASSOC., INC.
4907 HARFORD ROAD
BALTIMORE, MD. 21214

Scale: 1" = 30'

Date: 11/19/86

Print-O-Stat





G-SW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

91-472-SPH BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

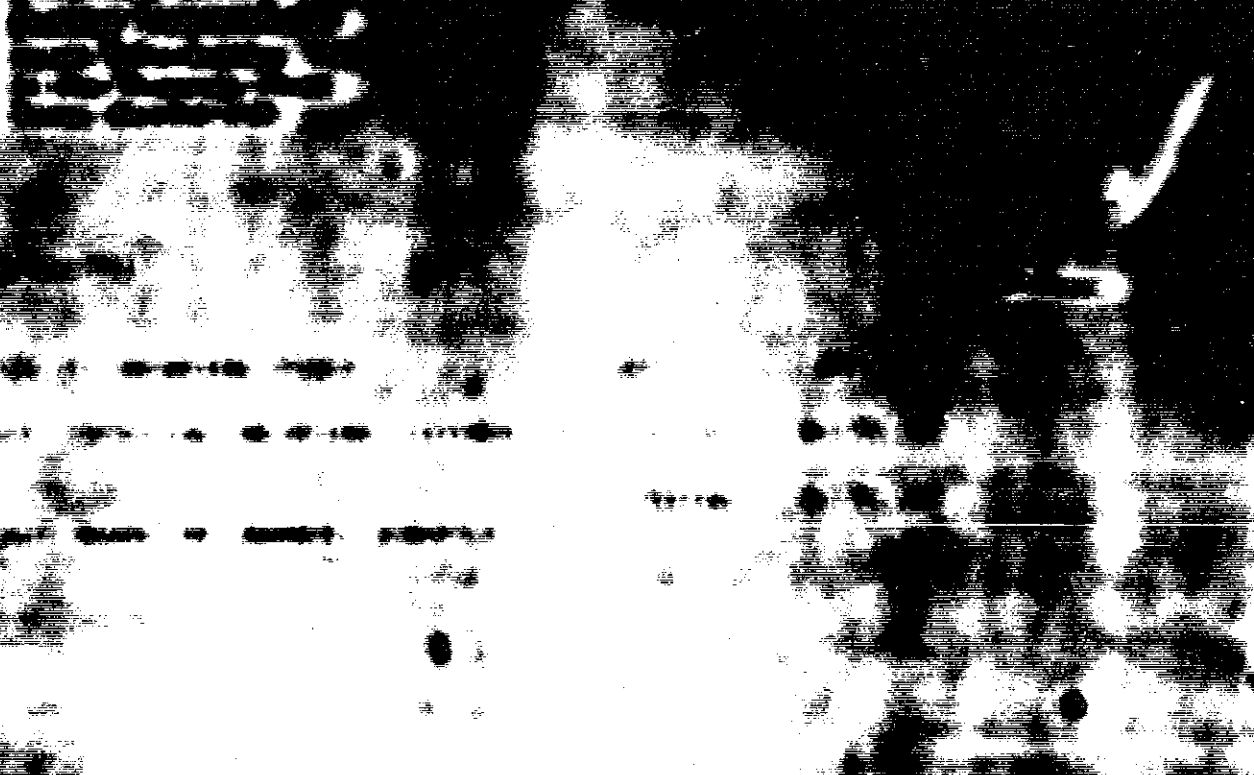
THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21218

| SCALE | LOCATION | SHEET |
|---------------------|--------------------|-------|
| 1" = 200' ± | ARBUTUS COWDENTOWN | S.W. |
| DATE OF PHOTOGRAPHY | | 4-D |
| JANUARY 1986 | | |

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COPY

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

JUNE 24, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-472-SPH
W/S Greystone Road, 85' (x) 3' Ely of c/1 Seven Oaks Road
1250 Greystone Road
10th Election District - 1st Councilmanic
Petitioner: Robert C. Cooper, et ux
HEARING: WEDNESDAY, AUGUST 14, 1991 at 2:00 p.m.

Special Hearing to approve a non-conforming use as three apartments.

J. Robert Haines

Zoning Commissioner of
Baltimore County

cc: Robert C. Cooper, et ux
Bernice Bucklaw
Henry Williams

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 19, 1991

Mr. & Mrs. Robert C. Cooper
204 North Rolling Road
Baltimore, MD 21228

RE: Item No. 470, Case No. 91-472-SPH
Petitioner: Robert C. Cooper, et ux
Petition for Special Hearing

Dear Mr. & Mrs. Cooper:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
19th day of June, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Robert C. Cooper, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: June 26, 1991
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Robert C. Cooper, Item No. 470
John V. Dimenna, Item No. 468
Doris Lee Eller, Item No. 413
Beverly J. Donnelly, Item No. 473

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

VARITEMS.JL/ZAC1

Pat Keller

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: June 25, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: June 18, 1991

This office has no comments for items number 468, 470, 472 and 473.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

JUNE 18, 1991

(410) 887-4500

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ROBERT C. COOPER
Location: #1250 GREYSTONE ROAD
Item No.: 470 Zoning Agenda: JUNE 18, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Reviewed and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KFK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 19, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 18, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 468, 470, 473 and 475.

For Items 458 and 460 the previous County Review Group comments still apply.

For Item 379 (#91-405-SPH), the site must be submitted through the minor subdivision process for review and comments.

For Item 472, as of this date, the proposed 8-inch sanitary sewer has not gone to contract.

Robert W. Bowling
Robert W. Bowling, P.E., Chief
Developers Engineering Division

RWB:s

ZONING ENFORCEMENT

Baltimore County
Zoning Office
Towson, Maryland 21204

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer DATE: April 25, 1991
Zoning Supervisor

FROM: James H. Thompson
Zoning Enforcement Coordinator

RE: Item No. (if known)
Petitioner: Robert C. and Kathleen T. Cooper (if known)

VIOLATION CASE # C-91-1124

LOCATION OF VIOLATION 1250 Greystone Road Baltimore, MD 21227

DEFENDANT Robert C. and Kathleen T. Cooper

ADDRESS 204 N. Rolling Road Baltimore, MD 21228

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

| NAME | ADDRESS |
|---------------------|--|
| Bernice Bucklaw | 1247 Greystone Road Baltimore, MD 21227 |
| Mrs. Henry Williams | 1151 Greystone Road Baltimore, MD 21227 |

After the public hearing is held, please send a copy of the Zoning Enforcement Coordinator's report to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

cc:



111 West Chesapeake Avenue
Towson, MD 21204

88-3854

September 16, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing
N/S Greystone Road, 85' E of the c/l of Seven Oaks Road
(1250 Greystone Road)
13th Election District, 1st Councilmanic District
ROBERT C. COOPER, ET UX - Petitioner
Case No. 91-472-SPH

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on September 12, 1991 by S. Eric DiNenna, Attorney on behalf of the Petitioners. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Mr. & Mrs. Robert C. Cooper
204 North Rolling Road, Baltimore, MD 21228

S. Eric DiNenna, Esquire - DiNenna and Breschi
Suite 600, 409 Washington Avenue, Towson, MD 21204

Harry C. Robertson - 1256 Greystone Road, Balto., MD 21228

Appeal Cover Letter - Case No. 91-472-SPH
ROBERT C. COOPER, ET UX - Petitioner
September 16, 1991
Page 2

Mr. & Mrs. Robert Bucklein - 1247 Greystone Road, Balto., MD 21228

Mr. & Mrs. Henry Williams - 1251 Greystone Road, Balto., MD 21228

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

APPEAL

Petition for Special Hearing
N/S Greystone Road, 85' E of the c/l of Seven Oaks Road
(1250 Greystone Road)
13th Election District - 1st Councilmanic District
ROBERT C. COOPER, ET UX - Petitioner
Case No. 91-472-SPH

Petition for Special Hearing

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner's Exhibits: 1. Plat to accompany petition

2. Floor Plans

3. Affidavit

Deputy Zoning Commissioner's Order dated August 22, 1991 (Denied)

Notice of Appeal received September 12, 1991 from S. Eric DiNenna, Attorney on behalf of the Petitioners

cc: Mr. & Mrs. Robert C. Cooper
204 North Rolling Road, Baltimore, MD 21228

S. Eric DiNenna, Esquire - DiNenna and Breschi
Suite 600, 409 Washington Avenue, Towson, MD 21204

Harry C. Robertson - 1256 Greystone Road, Balto., MD 21228

Mr. & Mrs. Robert Bucklein - 1247 Greystone Road, Balto., MD 21228

Mr. & Mrs. Henry Williams - 1251 Greystone Road, Balto., MD 21228

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nustarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Chief Deputy County Attorney
Public Services

County Board of Appeals of Baltimore County



OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 19, 1992

Francis X. Borgerding, Jr., Esquire
DINENNA AND BRESCHI
Suite 600
Mercantile-Towson Building
409 Washington Avenue
Towson, MD 21204

RE: Case No. 91-472-SPH
Robert C. Cooper, et ux

Dear Mr. Borgerding:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

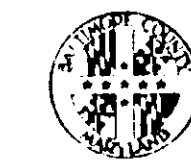
Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Mr. & Mrs. Robert C. Cooper
Mr. Harry C. Robertson
Mr. & Mrs. Robert Bucklein
Mr. & Mrs. Henry Williams
Ms. Eleanor VanDevender
Maiden Choice Community Assn.
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration

1/14/92 - Following parties notified of hearing set for March 19, 1992 at 10:00 a.m.:

Mr. and Mrs. Robert C. Cooper
DiNenna and Breschi
Mr. Harry C. Robertson
Mr. and Mrs. Robert Bucklein
Mr. and Mrs. Henry Williams
Ms. Eleanor VanDevender
Maiden Choice Community Assoc.
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 16, 1993

Phyllis Cole Friedman
People's Counsel for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: Case No. 91-470-XA
Lawrence L. Feehely

Dear Ms. Friedman:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

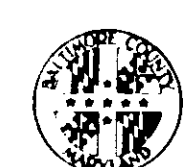
Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

Enclosure

cc: Mr. Eugene L. Shaver
Mr. Charles L. Brehm
Mr. James W. Mohlen
Mr. John Handy
Mr. Peter W. Wilkey, Jr.
Mr. William E. Armstrong, Jr.
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
Docket Clerk - Zoning

RECEIVED
MAR 17 1993

ZONING OFFICE



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 9, 1993

G. Warren Mix, Esquire
TURNBULL, MIX & FARMER
706 Washington Avenue
Towson, MD 21204

RE: Case No. 91-470-XA
Lawrence L. Feehely

Dear Mr. Mix:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Mr. Lawrence L. Feehely
Mr. Eugene L. Shaver
Mr. Charles L. Brehm
Mr. James W. Mohlen
Mr. John Handy
Mr. Peter W. Wilkey, Jr.
Mr. William E. Armstrong, Jr.
People's Counsel for Baltimore County
Public Services
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning Admin.

RECEIVED
MAR 17 1993
ZONING OFFICE



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

NOTICE OF ASSIGNMENT
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-472-SPH
ROBERT C. COOPER, ET UX
N/S Greystone Road, 85' E of c/l of Seven Oaks Road (1250 Greystone Road)
13th Election District;
1st Councilmanic District
SPH-Nonconforming use - 3 apartments
8/22/91 - D.Z.C.'s Order DENYING Petition.

ASSIGNED FOR: THURSDAY, MARCH 19, 1992 AT 10:00 a.m.

cc: Mr. and Mrs. Robert C. Cooper - Petitioners
DiNenna and Breschi - Counsel for Petitioners
Mr. Harry C. Robertson
Mr. and Mrs. Robert Bucklein
Mr. and Mrs. Henry Williams
Ms. Eleanor VanDevender
Maiden Choice Community Assoc.
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning Administration

LindaLee M. Kuszmaul
Legal Secretary

EXHIBIT 3

| | |
|---------------------|----------|
| C RO/F | 15.00 |
| C T TX | 380.00 |
| C DDS | 380.00 |
| | 0 |
| ERK | 775.00 |
| 483 3401 R02 T13:25 | |
| | 04/23/99 |

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxing
for Baltimore County
JX 6-11-90
Date

AGRICULTURAL TRAINING
NOT APPLICABLE


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Katherine H. Jensen

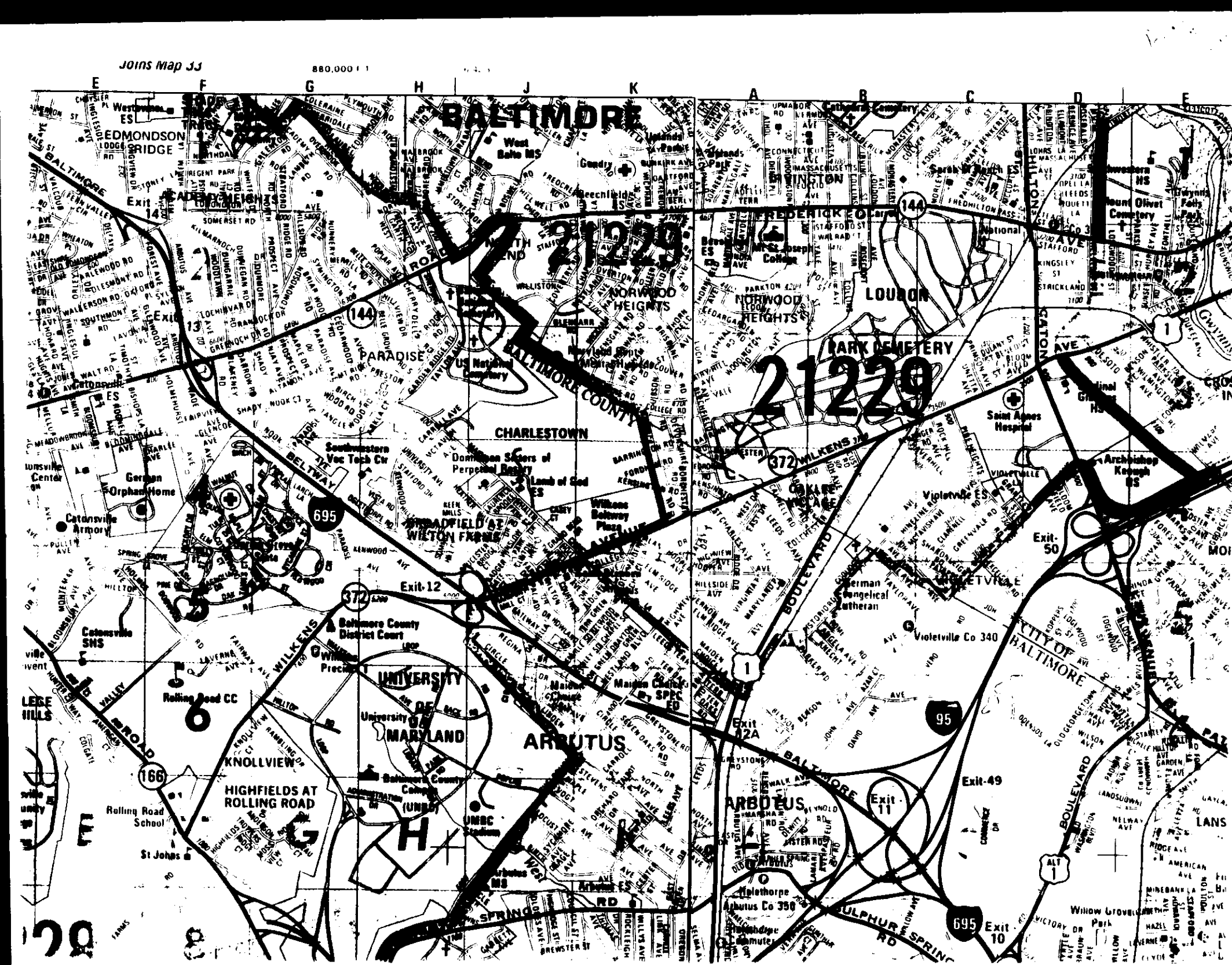
John H. Dümmler
Mail to
 Prem of Dümmler
 Ste. 200
 2 & Fayette St.

State of Maryland, ^{HOWARD COUNTY,} Baltimore City, to wit:

NOTARY SEAL



My commission expires 7/1/90

[illegible]

I understand after talking with Mr. Robert Cooper that the Coopers will be proceeding with their petition before this Board asking that the property be declared a non-conforming use as two apartments. This letter is being written to state that I was a tenant in the second floor apartment for several years during the 1980s. I moved out of 1250 Greystone Road in January 1990. I support Mr. and Mrs. Cooper petition for non-conforming use as two apartments.

Jeanette Auditore

James B. (K.B.) Jones
2-16-92